

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AMY, et al.,

Plaintiffs,

v.

RANDALL STEVEN CURTIS,

Defendant.

Case No. 19-cv-02184-PJH

**ORDER GRANTING PLAINTIFFS'
MOTION TO FILE A FIRST AMENDED
COMPLAINT AND VACATING
HEARING**

Re: Dkt. No. 77

Before the court is plaintiffs' motion to file a first amended complaint. Dkt. 77. Federal Rule of Civil Procedure 15 requires that a plaintiff obtain either consent of the defendant or leave of court to amend its complaint once the defendant has answered, but "leave shall be freely given when justice so requires." Fed. R. Civ. P. 15(a). Leave to amend is granted with "extreme liberality." Chodos v. W. Publ'g Co., 292 F.3d 992, 1003 (9th Cir. 2002). Plaintiffs have filed their motion well within the timeframe established by the court's Case Management and Pretrial Order. Dkt. 74. The court finds that defendant would not be unduly prejudiced by an amended complaint and defendant's futility argument is misplaced. Accordingly, the court GRANTS plaintiffs' motion and VACATES the hearing scheduled for March 11, 2020.

IT IS SO ORDERED.

Dated: March 6, 2020

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge